



Sen. John J. Cullerton

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09500HB0830sam001

LRB095 05101 MJR 35982 a

1 AMENDMENT TO HOUSE BILL 830

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 830 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Intent and applicability.

5 (a) By enacting this amendatory Act of the 95th General  
6 Assembly, it is the intent of the General Assembly to make  
7 explicit the original meaning of Section 2 of the Credit  
8 Agreements Act. See *Machinery Transports of Illinois v. Morton*  
9 *Community Bank*, 293 Ill.App.3d207(3rd Dist. 1997).

10 (b) This amendatory Act of the 95th General Assembly  
11 applies to pending actions as well as actions commenced on or  
12 after its effective date.

13 Section 5. The Credit Agreements Act is amended by changing  
14 Section 2 as follows:

15 (815 ILCS 160/2) (from Ch. 17, par. 7102)

1           Sec. 2. Credit agreements to be in writing. A debtor may  
2 not maintain an action on or in any way related to a credit  
3 agreement unless the credit agreement is in writing, expresses  
4 an agreement or commitment to lend money or extend credit or  
5 delay or forbear repayment of money, sets forth the relevant  
6 terms and conditions, and is signed by the creditor and the  
7 debtor. Actions that arise out of conduct intended to unjustly  
8 benefit the creditor or a third party, however, are not barred  
9 by this Section.

10       (Source: P.A. 86-613.)

11           Section 99. Effective date. This Act takes effect upon  
12 becoming law."